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TO SUMMER WANDERERS.

Have the Courier-Journal forwarded to your mail address while on your vacation. Call at the office and leave your order, or telephone Circulation Department—Home or Main 276. If your subscription is a paid-up one, please state so.

The Weather.

Forecast for Wednesday and Thursday: Kentucky—Fair; Wednesday, Thursday, fair; warmer in central and east portions. Indiana—Fair; warmer Wednesday and Thursday; light to fresh variable winds, becoming south. Tennessee—Generally fair Wednesday and Thursday.

THE LATEST.

Landholders of Harlan county are up in arms over the alleged unfair dealing with them by the agents and legal employees of Charles Henry Davis, of New York, who is suing over half of the landowners of that county for their property, he claiming these lands on an old patent issued in 1846. A mass-meeting of these people has been called for Friday next, when it is expected that decisive action will be taken in the matter.

Secretary Taft yesterday announced that it had finally been decided to establish permanently the office of Secretary of the Isthmian Canal Commission on the isthmus, and Joseph B. Bishop, the present secretary of that body, will proceed at his earliest convenience to Panama to establish himself there.

The hearing in the case of the Pepper Distilling Company, of Lexington, regarding the seizure of 356 barrels of whisky at Louisville, was held yesterday at the Georgetown Hospital, where John W. Yerkes, who is confined to his bed at that institution, made an argument in behalf of the distilling company.

The programme for President Roosevelt's trip down the Mississippi in October has been given out by Secretary Loeb. It will be preceded by an address at the McKinley monument dedication at Canton, O., September 30, and will end with a speech at Memphis, after which there will be a quick return to Washington.

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Charles H. Moyer was re-elected as president and William D. Haywood as secretary-treasurer of the Western Federation of Miners by the Federation convention to-day, although they are imprisoned in Idaho on the charge of complicity in the murder of former Governor Steunenberg.

Sir Chentung Liang-Cheng, the retiring Chinese Minister, said farewell to the officials at the State Department yesterday, preparatory to his departure to-day for San Francisco, where he will sail July 9 aboard the steamer Korea for his home in China.

The French court has denied the petition for the temporary release of Marcel Albert, M. Ferroul and others of the Wine Growers' Committee of Argeliers, arrested as a result of the recent disorders in the south of France.

It was announced at Rome yesterday that the Government had granted amnesty to all political and press offenders, with the exception of anarchists, on the occasion of the centennial, July 4, of the birth of Giuseppe Garibaldi.

President Roosevelt yesterday appointed Gen. James B. Aleshire to be Quartermaster General of the army, with the rank of Brigadier General, to succeed Charles E. Humphreys, who will retire.

In an interview at Washington, Ambassador Aoki declared that Japan will not take offense if the United States transfers battleships to the Pacific, as it is stated has been recommended to the President by a naval board.

Fifty-two men had a miraculous escape from death when the wall of a Cincinnati store building collapsed. The majority were laborers, who were buried under the falling bricks. Ten were hurt, but none seriously.

Three men whom Orchard implicated in his confession, took the stand in the Haywood trial at Boise yesterday and gave testimony in direct conflict with the star witness' story.

Mr. and Mrs. Cale Young Rice, of Louisville, were among Americans entertained at luncheon at Dorchester House, London, by Ambassador and Mrs. Whitelaw Reid.

Secretary Taft leaves to-day for his summer home in Canada to rest his voice and recuperate in preparation for his labors, which will be resumed again in August.

Mrs. Hume Mitchell is lying in a serious condition at her home in Glasgow, Ky., from the effects of a needle which entered her body some thirty years ago.

FOREST HILL IS BESIEGED

Oil King's Cleveland Home Surrounded By Officials.

Rockefeller Steadily Sought By Minions of the Law.

Conference Between Attorneys and Judge Landis.

BROTHER WILLIAM WANTED.

Cleveland, O., July 2.—Forest Hill, the suburban home of John D. Rockefeller, was besieged by United States Marshals Frank M. C. Chandler and a corps of deputies representing the Department of Justice, from early this morning to way after nightfall to-day. Up to that hour the efforts of Federal officials to serve the subpoenas issued from Judge Landis' court in Chicago on Mr. Rockefeller had been unsuccessful, and Marshal Chandler and his deputies will to-morrow continue picketing the Rockefeller estate.

Access to the lodge was denied a Deputy Marshal at 2 o'clock this afternoon and Marshal Chandler at that time announced that he would ask the Department of Justice at Washington for further authority in the case. Later he was admitted to the lodge and Supt. Jones, of the Rockefeller estate, informed him that he and his deputies could have the freedom of the place, a disclaimer being entered that the barring of the gate against the Deputy Marshal was meant as an affront to Federal authority.

Marshal Chandler would not say positively to-night that he believed John D. Rockefeller is at Forest Hill, but he said he felt sure that the latter is now within the jurisdiction of the Federal Court of Northern Ohio.

STANDARD'S LAWYERS CONFER WITH ATTORNEY.

Cleveland Marshal Says He Is "Hot On Oil King's Trail."

Chicago, July 2.—Late to-day the Standard's lawyers here sought an interview with Judge Landis and when informed that he was in the city went to the office of District Attorney Sims, where a long conference was held. The attorneys for both sides refused to say anything further than that the conference was for the purpose of discussing certain courses of procedure next Saturday.

A long telephone conversation was held to-night between District Attorney Sims and Marshal Chandler, of Cleveland. The Marshal told Mr. Sims that he was "hot on the oil king's trail," that he has reliable information that Mr. Rockefeller is in Cleveland and that he expected to obtain service on him to-morrow.

John S. Miller, attorney for the Standard Oil Company, to-day denied the report emanating in the East that John D. Rockefeller would be advised to accept service of the subpoenae sent out from the Federal Court.

A report that a warrant would be issued for Mr. Rockefeller was denied at the office of the District Attorney. It was said that every possible effort would be made to serve the subpoenae before the issuance of a warrant would be considered at all.

CAN'T FIND EITHER OF 'EM.

Marshal Henkel, of New York, Is After Brother William, Too.

New York, July 2.—Although United States Marshal Henkel has had in his possession since Saturday last a subpoena calling upon John D. Rockefeller to appear as a witness before the Federal Court in Chicago on July 6, the Marshal was to-day still unable to find Mr. Rockefeller or to serve the summons. It has been reported that Mr. Rockefeller is being held pending a subpoena in-law, E. Parmelee Prattice, near Pittsfield, Mass.; that he has been staying at his own home in Tarrytown, N. Y., and that he was on his way to his Cleveland home, but neither the Marshal nor any of his deputies have been able to determine where Mr. Rockefeller is to be found. Inquiries at Mr. Rockefeller's home at Tarrytown have elicited only the response from his secretary that the whereabouts of Mr. Rockefeller are unknown.

While Marshal Henkel and his deputies are seeking everywhere for John D. Rockefeller to-day they are equally zealous in their efforts to serve William Rockefeller, a brother of John D. Rockefeller, with a subpoena requiring his presence before Judge Landis in Chicago. July 6. Marshal Henkel declares that William Rockefeller is as difficult to serve as his brother. A report to-day has it that William Rockefeller is in Rome; another report has him sojourning in the south of France, while another states he is in the Adirondacks.

IN DAVID'S GRASP.

Hancock, Ohio, Prosecutor Stands Ready To Act.

Findlay, O., July 2.—If John D. Rockefeller is in Cleveland he is within the grasp of Prosecutor William L. David, of Hancock county, and if he is called upon by the Federal authorities at Chicago to assist in his capture he will simply call another case against the Standard Oil Company and see that the personal guarantee of J. C. Donnell, vice president and general manager of the Ohio Oil Company of this city, and James O. Troup, of Bowling Green, his attorney, is carried out. On January 29

last they agreed with Prosecutor David to have the oil king appear in this city as soon as wanted, but they prayed that such a course might be spared. As a guarantee of their good faith they executed a bond, which is signed by Rockefeller, Donnell and Troup, that John D. Rockefeller appear from day to day in the court here until discharged.

JURY OUT OVERNIGHT IN COTTON LEAK CASE.

Members Report No Verdict After Seven Hours' Deliberation.

Washington, July 2.—The case of Edwin S. Holmes, Jr., the former associate statistician of the Department of Agriculture, who has been on trial since June 3 on the charge of conspiracy in connection with the leak of advance crop reports, was given to the jury to-day. The forenoon was spent in the argument of the case by Attorney Worthington for Holmes and Special Prosecuting Attorney Beach for the Government. In his instructions Judge Stafford said that the testimony tended to sustain the charge of the indictment. The case was given to the jury a few minutes after 2 o'clock this afternoon. The jury was locked up for the night at 10 o'clock.

YOUNG WIFE ACCUSED OF HUSBAND'S MURDER

BURNED TO DEATH BY BLAZING OIL NEAR SCRANTON, PA.

CLAIMED SHE IMPLICATES A FORMER LOVER IN CRIME.

IS TAKEN INTO CUSTODY.

Scranton, Pa., July 2.—Mrs. Kindra Horvath, aged eighteen years, of Dunmore, is in the county jail, charged with having burned her husband to death so he might be free to marry her former lover, Ignatz Hutor, who is also in jail charged with being an accessory. The police officials say that Mrs. Horvath has confessed and given all the details of the crime. All the parties are Lithuanians.

According to the story alleged to have been told the police, by Mrs. Horvath, she and Hutor were lovers before she married Horvath in the old country, two years ago. Hutor preceded them to this country. When they came here they settled near where Hutor was living in the Nay Aug section of Dunmore borough. Hutor renewed his attentions to Mrs. Horvath and frequently was at their house. The police say the confession indicates that Hutor went to the Horvath home Monday and suggested that the woman do away with her husband so that they could be married.

Following Hutor's suggestion the woman got her husband drunk. It is stated, and when he lay stupefied, in bed, she went to the room with the kerosene lamp. She poured the oil from the lamp on the bed and then, she claims, the lamp dropped on the bed setting it on fire. At the sight of her husband writhing in the flames, she became horror-stricken and rushed from the house crying "Fire!" Neighbors extinguished the flames and had Horvath taken to a hospital where he died without regaining consciousness. Hutor denies all knowledge of the crime. Both are being held pending an investigation of the woman's story.

MRS. PRESTON TAYLOR ATTACKED BY NEGRO

KENTUCKY WOMAN WAS VISITING FAMILY OF FRIEND AT PINE BLUFF.

Pine Bluff, Ark., July 2.—[Special.]

It turns out that it was Mrs. Lena Preston Taylor who was attacked by a negro and not Mrs. Olive Taylor. Mrs. Olive Taylor is now visiting her mother, Mrs. Helen Jennings, at Westport, Ky., and is accompanied by Mr. Taylor.

Mrs. Lena Preston Taylor, who was attacked, was formerly a resident of Covington, Ky., but since the death of her husband has been living in St. Louis, Mo. Mrs. Taylor was visiting the family of Capt. Gelsreiter at the time of the attack.

FORMER KENTUCKIAN KILLED IN NEBRASKA

JAMES A. CORREY ENGAGES IN ALTERCATION WITH FATAL RESULT.

Hastings, Neb., July 2.—[Special.]

James A. Correy, who formerly lived in Wayne county, Ky., not far from Monticello, was killed by Charles Gloe, a liverman, at the little town of Hallam, near here, this morning. The two men became involved in an altercation over a horse, when Gloe pulled a revolver and shot Correy through the heart. Gloe promptly gave himself up to the Sheriff of the county and was lodged in jail. He is prominent in the county, while Correy had lived here but a short time.

DEATH TAKES MAN WHO INVENTED GIANT POWDER.

Akron, O., July 2.—Hiram J. Ayers, inventor of giant powder, died here to-day, aged eighty-four years. He manufactured giant powder here in the forties, drying it on the roof of his workshop. A few years later he interested Eastern men and they manufactured the explosive extensively in Ogden, Utah, in California and at other points.

MORE DENIAL OF ORCHARD STORY

Three Men Implicated In His Recital Take Stand.

Max Malich Lays Misdeeds At Star Witness' Door.

Detective McPartland's Brother Gives Testimony.

A "BULL PEN" OCCUPANT.

Boise, Idaho, July 2.—Max Malich, Joe Mehlert and Billy Alkman, three of the men variously implicated in alleged misconduct at Globeville, Denver, and Cripple Creek, on the word of Harry Orchard, went on the stand to-day as witnesses for William D. Haywood, and made denial of Orchard's testimony.

Malich swore that Orchard, and not he, suggested the inhuman plot of dynamiting a boarding-house full of nonunion smelter men at Globeville, and that Orchard originated the idea of killing William McDonald, one of Malich's business rivals. He said that he had been burned by some mysterious acid thrown into his house by an unknown hand, but denied that this acid was really "Pettibone dope" that had been left in his room by Steve and Annie Adams. He also denied that "Pettibone dope" had been used in burning his store and testified that he was at his ranch when the fire occurred. He also swore that Orchard had told him that but for Gov. Steunenberg he would be rich and that he intended to kill Steunenberg.

Prosecution Shows Intention.

Mehlert and Alkman, who followed Malich, also made positive and circumstantial denials of all of the things Orchard swore they did with him. The cross-examination of all three witnesses showed a purpose on the part of the State to further deal with their testimony when the case in rebuttal is reached. When Orchard is recalled, he will be asked to give his version of the alleged use of "Pettibone dope" in burning Malich's store at Globeville.

Another unusual feature was contributed to the unusual crime with its background of plots and counterplots, criminal, industrial and political, by the appearance as a witness for the defense of E. L. McPartland, a brother of Detective James McPartland, who worked up the case against Haywood, Moyer and Pettibone and obtained Orchard's confession.

This McPartland is a shoemaker at Manitou and he came to tell that while he was following his peaceful craft at Victor during the strike he was unceremoniously taken from his labors by the militia, thrust into the "bull pen," and then deported.

Ex-Attorney General Heard.

Eugene Eagles, former Attorney General of Colorado, swore that Orchard told him of the loss of a big share in the Hercules mine and of his intention to kill Steunenberg. Eagles told at great length how the military authorities at Cripple Creek defied the process of the civil courts, how he was himself deported from Telluride, where he was counsel for the federation, and how he was later deported from Cripple Creek where the mob destroyed the union store at Goldfield. His entry into extended descriptions and minute details brought repeated objections from the prosecution and finally the court intervened to limit him to the material facts to save the time of the court and jury.

The defense also produced Thomas C. Foster, now a bartender of Bisbee, Ariz., who was a union miner, was tried and acquitted at Cripple Creek on the charge that he had attempted to wreck a train on the Florence and Cripple Creek railroad. Foster told of his experience in the "bull pen," an attempt of Detectives D. C. Scott and M. O. Sterling to force a confession from him which was followed by seventeen days' solitary confinement and his final flight from the district, when he walked thirty miles and fasted over thirty hours.

Introduced By Detective.

Malich, who was the day's star witness, is a carpenter and miner. He was a smelterman at Globeville, Col., at the time of the strike in 1903. Malich said he was an Austrian, as were most of the men in the Globeville smelters. "Did you know a man named Harry Orchard, alias Thomas Hogan?" asked Attorney Richardson, who conducted the examination. "I was introduced to him as Tom Hogan by a Pinkerton detective named A. W. Gralias," Malich said he did not know Gralias was a detective at this time, for he was working secretly and was acting as president of the local smelters' union. The witness said it was in February, 1905, that he met Orchard, who was then living with Steve Adams and his wife. Malich had become proprietor of a small hotel and bar at this time.

Orchard testified, it will be remembered, that Malich had suggested to him the blowing up of a hotel where 150 nonunion miners were living, and had helped him steal 100 pounds of dynamite from the Union Pacific powder house. Malich declared to-day that the testimony was all false. He said

that Orchard, or Hogan, came to him one day and said: "What is the matter with you folks out here? The trouble is getting the best of you. Why don't you blow that damn hotel off the earth?" "He didn't say that," Malich testified. "Tom, I wouldn't stand for it under the circumstances. If you do anything like that I am going to denounce you. After this the witness said Orchard told him he was joking. Malich said he knew nothing about the taking of any powder from the Union Pacific.

Says Orchard Gambled.

Asked to Orchard's financial condition the winter he lived with Steve Adams, Malich said he had to let Orchard have money five or six times being paid back when the latter "made a raise" at gambling. Malich next related a conversation he had with Orchard in a Turkish bath establishment. "I was taking baths for rheumatism," said the witness. "Tom met me one day when I was going to take a bath, and said he wouldn't mind having a clean wash himself, so I took him along. He again told me I was easy to let this Globe Mercantile Company continue to do business when I might have the trade in my grocery department. He said all I would have to do was to leave Billy McDonald to him."

"I told him again I did not want anything like that. He then got to talking about Gov. Steunenberg and called him vile names, and said if it had not been for him he would have been a millionaire. He said he had to sell his interest in the Hercules mine for \$500 and get out of the country. I told him it did not make any difference when I might have the trade in my grocery department. He said all I would have to do was to leave Billy McDonald to him."

AT JAMESTOWN

HUBERT VREELAND BECOMES RESIDENT COMMISSIONER.

He and His Wife Will Receive Visitors At Kentucky Building For Next Two Weeks.

Jamestown Exposition, Va., July 2.—[Special.]—The Hon. Hubert Vreeland, State Commissioner of Agriculture and a member of the Kentucky Commission to the Jamestown Exposition, arrived here to-day and will act as resident commissioner at the Kentucky building for the next two weeks. He was accompanied by Mrs. Vreeland, who will be the hostess of the Kentucky building during her residence here, and Miss Prue Hunt Rodman, sister of the latter.

Mrs. Fannie B. Tucker, of Louisville, principal of the Newsboys' Home night school, and a well-known Kentucky educator, is now at the Exposition conducting a normal school for teachers. Mrs. Tucker is the first educator to be called upon to fill this important place under the auspices of the Exposition management, and she is being warmly commended for the able efforts she is putting forth. She will remain here until about the middle of the month.

The First Kentucky regiment may be ordered to leave the Jamestown Exposition within the next forty-eight hours. Surgeon General McCormack has filed formal complaint concerning the improper drainage and unless drastic changes are made immediately it will be a case of the Kentuckians going away from here.

This was West Virginia's day to celebrate, and old Kentucky and Uncle Sam are helping to see that the military end is held up. The First Kentucky and the Twenty-third Infantry of the regular army participated in a parade with the West Virginians.

The health of the boys from the Bluegrass State remains vigorous. Col. W. B. Haldeman was the host of the West Virginians officers last night.

A great military spectacle on the Lee parade grounds, the dedication of the West Virginia Coal Column, erected in front of the West Virginia State building, showed the various grades of coal as mined in the little mountain State, and formal exercises in the auditorium, were the features of the celebration of West Virginia at the Jamestown Exposition to-day.

The exercises opened at 11 o'clock with a military parade, the line including West Virginia, South Carolina, Kentucky and New York State troops, together with the entire federal forces now in camp at the exposition. This was reviewed by Gov. Dawson, and the parade was accompanied by a distinguished party of West Virginians, Secretary of the Treasury Cortelyou, General Fred D. Grant and others.

Brief speeches by Gov. Dawson and Secretary of the Treasury Cortelyou of the National Jamestown Commission, were made at the reviewing stand.

SHIFT OF VESSELS NO AFFRONT TO JAPAN

SO DECLARES VISCOUNT AOKI, REGARDING PLAN TO SEND WARSHIPS TO PACIFIC.

Washington, July 2.—"No, Japan

would not regard it as an unfriendly act if the American Government saw fit to increase her naval representation in her territorial waters on the Pacific coast or even if she sent additional men-of-war to the Asiatic station. She would not look upon it as a menace or regard it with regret."

These were the words of Viscount Aoki, the Japanese Ambassador to the United States, when his attention was called to-day to published reports that the General Board of the Navy had recommended to the President that the battleships of the American fleet be sent around to the Pacific coast. At the same time the Ambassador expressed a great deal of interest in the stories printed, and asked if they were true. He disliked, he said, to appear in the public prints when there was no reason for it, but he felt at perfect liberty to say what he did on this subject.

HEARING HELD AT BEDSIDE

Mr. Yerkes Pleads For Clients While In Hospital.

Case Grew Out of Seizure of Whisky At Louisville.

Interstate Commission Dismisses Rate Complaint.

BOOKER T. TURNED DOWN.

Washington, July 2.—[Special.]—Owing to the fact that the James E. Pepper Company, of Lexington, has contracts out for a large amount of goods, and desire that the case pending before the Internal Revenue Bureau with reference to the seizure of alleged colored whisky in Louisville be settled at the earliest possible time, an unusual proceeding was taken to-day when the Commissioner of Internal Revenue and Solicitor of Internal Revenue called at Georgetown Hospital and heard Mr. John W. Yerkes, who is confined to his bed with a fractured knee, make an argument in behalf of the Pepper Company.

The case grows out of the seizure in Louisville of 356 barrels of whisky valued at about \$13,000, and purchased from the Pepper Company by J. M. Wolfe. The defense maintains that the distillers did not know that the coloring matter was placed in the barrels purchased by them. It is said to be probable that the case will be compromised by the owners of the seized property paying an amount to the Government sufficient to satisfy the Commissioner of Internal Revenue. Otherwise it will be brought before a jury in the Louisville courts for trial.

Interstate Commerce Decision.

In an opinion by Commissioner Lane, the commission to-day announced its decision in the case of the Omaha Co-operative Company vs. the Nashville, Chattanooga and St. Louis Railway Company and others. The complaint alleges that the rates of the Nashville, Chattanooga and St. Louis and Illinois Central roads on oak staves and headings from Hollow Rock and other Tennessee points of origin to East St. Louis, when destined to South Omaha, Neb., are unreasonable when compared with the rates on such commodities over said roads from the same points of origin, when destined for Alexandria, Mo., or Keokuk, Ia.

The South Omaha rate is a combination of the fourteen-cent rate of the Nashville, Chattanooga and St. Louis and Illinois Central plus the "local" rate of ten cents of the Chicago, Burlington and Quincy, whereas the Keokuk or Alexandria rate is a joint rate of nineteen cents, fourteen cents to the two first carriers and five cents to the Chicago, Burlington and Quincy. The complaint made no complaint against the Chicago, Burlington and Quincy rate.

It appears that some years ago the division gave the Chicago, Burlington and Quincy its full "local" from East St. Louis to Keokuk or Alexandria, and the two Eastern carriers two cents less than their joint rate to East St. Louis; but the division as now made gives these two roads the same earnings on co-operative products carried from Tennessee points to East St. Louis, whether destined to South Omaha, Alexandria or Keokuk. The complaint is dismissed.

Booker T. Turned Down.

Booker T. Washington, the Tuskegee educator, has been refused the rental of a residence for the summer at fashionable Mammoth, but it is understood that he has managed to lease a house in Oyster Bay, the summer capital, and will shortly take possession of it. One of the persons who politely refused to lease a Mammoth house to Washington is W. E. G. Galliard, one of the most prominent New York real estate men.

"I am extremely sorry that the matter has become public," said Mr. Galliard to-day. "The publicity will probably hurt my feelings more than it does the feelings of the able head of Tuskegee Institute. I have many valuable property interests in Mammoth, and to protect and in this matter Mr. Washington surely knows I had to act just as a trustee of an estate would. His representative and I parted in the most friendly spirit."

Kentuckians Promoted.

William M. Ragsdale, of Marion county, Ky., has been promoted in the Department of Justice to the position of naturalization examiner at Pittsburgh on a salary of \$2,000 per annum. Chas. Jenkins, a Kentucky clerk in the same department, has been promoted from \$900 to \$1,000. Hickman P. Childers, of Kentucky, has been promoted from \$1,000 to \$1,800 in the Census Bureau.

After the terrible experience of the Democrats in 1890 it is not likely that they will go to Cincinnati again to hold a convention, so the next thing the Buckeyes can do is to go with the Corn-crackers for Louisville and make it unanimous.

KAISER AND FAMILY OFF TO VISIT DANISH COURT.

German Ruler Conditionally Accepts Invitation To Visit Windsor Castle.

Kiel, Germany, July 2.—Emperor William, the Empress, Prince Adalbert and a large party sailed for Copenhagen to-day on the imperial yacht Hohenzollern to visit the Danish Court, after which the Emperor will take his annual cruise in Scandinavian waters.

NEEDLE IN BODY WILL CAUSE DEATH

VICTIM OF ACCIDENT OF THIRTY YEARS AGO AWAITING THE END.

Glasgow, Ky., July 2.—[Special.]—Desperately ill, with death liable to occur at any time, Mrs. Hume Mitchell is lying at her home at Walnut Hill, in this county, the result of a peculiar accident which happened more than thirty years ago, and which it is declared will eventually result in her death.

About thirty years ago Mrs. Mitchell wore a riding habit in which a needle was sticking. This needle worked into her body without her knowledge while she was out riding one day, and has given her more or less trouble ever since. There are periods during which the pain leaves her altogether, and others in which it is excruciating. Of late her trouble has been increasing. Her condition is regarded as exceedingly critical, with no hope of recovery.

Cousins Engage In Pistol Duel

ONE DEAD, ANOTHER BADLY WOUNDED, RESULT OF OLD FEUD.

Barbourville, Ky., July 2.—[Special.]—On Stinking creek, fourteen miles north of here, in Knox county, Garrard Gambrel and Green Gambrel, cousins, engaged in a pistol duel. Green Gambrel was shot through the head and killed, while Garrard received a bad wound through the stomach.

The cause of the shooting was a feud of long standing, according to reports from that section. The men had had trouble before, and each was armed for the meeting, which resulted in the death of one and the fatal wounding of the other. Officers left here to-day for that section.

COUNSEL RETAINED

IN THE NOW FAMOUS BARON SPRINGER CASE.

Capt. C. C. Calhoun Interested In Litigation Over Estate Valued At \$80,000,000.

Lexington, Ky., July 2.—[Special.]—Capt. C. C. Calhoun, the Kentucky lawyer who has been successful in collecting claims of the State against the Federal Government, has been retained by the Kentucky heirs of the famous Baron Springer estate and all the documents pertaining to the case will be turned over to him. It is proposed to hold a meeting some time ago of the heirs who can be brought together, and energetic plans will be put on foot to secure the fortune, which is estimated at \$80,000,000.

Baron Springer came from Sweden over a century ago and was given a large land grant on part of which now stands the city of Wilmington, Del. He died in 1899, and was given a large land grant on part of which now stands the city of Wilmington, Del. He died in 1899, and was given a large land grant on part of which now stands the city of Wilmington, Del.

Congressman D. C. Edwards, of the Eleventh district, spent to-day in Lexington. While he stated that his visit had no political significance, he held a lengthy conference with a number of the Republican officeholders. It was rumored that the object of his visit was to give his advice concerning the Republican County Committee meeting, which is to be held here next Saturday. The question up was whether the local Republicans are not yet decided as to whether to put up full city and county tickets of Republicanism, or to put up only part of the ticket and leave the remainder to be filled out by Democrats.

In the Circuit Court yesterday afternoon the petition in the suit of the administrator of the estate of Fred W. Ketterer against Dr. J. B. Redner, superintendent of the Eastern Kentucky Insane Asylum, and the State Board of Control for charitable institutions was dismissed, the plaintiffs refusing to further amend the petitions. The plaintiffs will take the question to the Court of Appeals. The suit is for \$50,000 damages on account of the death of Ketterer while an inmate of the asylum.

GOVERNOR MAY COME TO-DAY

Having Trouble Getting His Police Judge.

Effort To Get Mr. Blain To Reconsider Refusal.

Rehearing Might Settle Park Bond Question.

NO LICENSE CONFERENCE.

It was given out in Frankfort last night that Gov. Beckham was coming to Louisville again, probably to-day, but possibly not until later. The Governor is coming to confer with Mayor Bingham as to the Police Judge and the General Council. It is said the Governor is having considerable trouble in getting the man he wants for Police Judge. Randolph Blain declined the office and efforts were renewed to get him to accept the place with what results are unknown.

It is also said that there is some doubt about the action of the Governor in filling the vacancies in the Park Board. Judge Baker is quoted as saying that the Court of Appeals probably went too far in leaving the appointments to vacancies on the Board to Gov. Beckham. It is said that if the members of the Board asked for a rehearing it is likely that the court would call attention to the law which permits the Board to fill all its vacancies.

Conference With Herrmann.

Mr. Bingham said last night that he did not know whether he would make any appointments to-day, but believed he would not. He has no appointment to confer with Gov. Beckham, or with Judge Walter Lincoln to-day, he said, and did not know whether the Governor would arrive in Louisville to-day.

When asked whether the License Board would take up the cases of the saloon men convicted of having kept open their places of business on Sunday, with a view to revoking their liquor licenses, before the appointment of the new City Judge, Mayor Bingham said that he was not discussing matters pertaining to any of the boards at present. He denied

John L. Lewis & Co. Fourth OF JULY Needs

INCORPORATED.

Low Shoes. At this very low price we will show you five styles of Women's White Canvas Oxfords, with hand-turned soles, tip or plain toes; wood covered or leather heels; all sizes and widths.

\$1.35 At this price we are showing five styles of this season's Low Shoes, in either patent, kid or dull leather, with extension or turn soles; regular \$2.75 values.

Men's Shirts. The finest line of Men's \$1.00 Shirts in Louisville, in all the new patterns and styles, including the famous "Manchester" and "Quaker City" Coat Shirts. There are solid colors, plain white, dotted, striped and checked patterns; in plaid or plain bosoms, with attached or separate cuffs.

\$1.00 OR THREE \$2.75 FOR

Hammocks. For Woven Hammocks, with pillow and spreader, wood bar handles; full size. \$1.00. To \$1.75, according to size, for Mexican Sea-grass Hammocks; stretchers like a pair; hooks \$5 each; ropes 25c a pair. For excellent grades of Mosley's woven Hammocks, in beautiful colors. \$1.50. For Baby Hammocks, with mosquito stand; any child can carry it. \$2.50.

Bathing Suits. 75c \$1.00 and \$1.25 for Men's Navy Blue Cotton Bathing Suits; good and strong. \$2.00. To \$3.50 for Men's Cashmere Wool Bathing Suits. For Women's Black Bathing Suits, with sailor collar, neck and skirt; trimmed with two rows ricrac. \$1.50. For Women's Black or Navy Blue Silk Bathing Suits, with sailor collar. \$2.00. Misses' Suits \$1.50 to \$3.50. Children's from 50c to \$1.75. Boys' from 50c to \$1.25. Trunks for boys 15c.

Cool Gloves. 75c For 12-button Lisle Gloves, in white only. \$1.00 For 16-button Lisle Gloves, in extra good quality; black or white. \$2.00 For 16-button Silk Gloves, with double finger tips. The best wearing glove on the market; colors tan, white and black.

FANS. 5c 10c, 15c, 25c and 35c for Japanese Decorated Paper Fans. 75c and \$1 for Silk or Gauze Decorated Fans.

"ANITA"

Don't sign any contract until you have gotten our prices. Phone Home 4520. Cumb. M 1488-A.

Anita Spring Water Co.

Natural Spring Water in Sanitary Coolers.

GOOD WHEAT—GOOD FLOUR—GOOD BREAD—

Flour that is milled from the best wheat that grows in our great north-western wheat belt is considered by far the richest, strongest and most nourishing. The strength-giving properties of this fine grain are known the world over. Every pound of flour that goes to make our delicious, creamy loaf of

BEST BREAD

is milled in this rich grain-producing section. This Bread, therefore, contains the best of all that is essential to pure food. Ask your grocer for it.

GROCERS' BAKING COMPANY. (Incorporated)

CARSON

MORE POPULAR EACH DAY—A STERLING BRAND

2 For 25c

Made by the oldest Collar Makers in the U. S. QUARTER SIZES.

414-422 West Market St.

ELECTRIC FANS.

We have them in all styles. Come and let us show you something new. You have never seen it before.

HARRY I. WOOD CO., (Incorporated.)

518-520 West Main, Louisville, Ky. Telephone 2681.

Our Own Boiled Ham, Sandwich Meat,

Sweet and Sour Pickles, Imported Swiss, Camembert and Roquefort Cheese, Peanut Butter, Fresh Potato Chips, English Biscuits and Cakes; Ginger Ale, Mineral Waters, Welch's Grape Juice, Bottled and Bulk Olives, Italian Anchovies in oil.

Fancy Teas and Coffees. All kinds of fresh Fruits. Mail Orders Solicited.

J. B. WURACH Pure Food Products

314 W. Market St. Both Phones.

Ohio Falls Sanitarium. For the Treatment of Nervous Diseases INCLUDING ALCOHOL AND DRUG HABITS. W. A. HOBDAV, M. D., Physician in Charge, 104 East Breckinridge Street, LOUISVILLE, KY. Cumb. Phone South 904.

STRONG FIGHT

To Be Made By Harlan County Citizens

AGAINST LAND CLAIMS OF A NEW YORK MAN.

SUITS HAVE BEEN STARTED FOR VAST TRACTS.

DEFENDANTS TO ORGANIZE.

Middlesboro, Ky., July 2.—[Special.]—The people of Harlan County are up in arms as the result of alleged unfair dealing with them by the agents and legal employees of Charles Henry Davis, of New York, who is suing over one-half of the land-holders in Harlan County for their lands. Mr. Davis claiming these lands on an old patent issued to Smith, Ledford & Skidmore in 1846. The suits for possession of this land have been pending for a long time and have now all been transferred to the United States District Court. Several of the leading lawyers of Kentucky and others of New York represent Mr. Davis in his fight for the land. Offices have been established at Middlesboro and Harlan by Mr. Davis, where his agents are endeavoring to secure decisions against the defendants in these suits. A great many compromises have been effected, but several hundred of the defendants are fighting to retain their lands. Until this time there has been no complaint against the methods employed by the Davis people in conducting their suits and effecting compromises. Now the people of Harlan County have become incensed over alleged unfair treatment and are attempting to organize their forces with a view of making a common defense of the suits and fighting against them for the possession of their homes. A circular has been sent to all land-owners in Harlan County, together with a letter, earnestly requesting their presence at a meeting which will be held July 5, when it is expected that some definite action will be taken. In the event the forces of the people are organized and plans for a common defense of the Davis suits are materialized, one of the greatest legal fights in the history of Kentucky will probably result.

RAILROAD THIEVES

Begin Their Depredations Again Along Line of L. and N.

Glasgow, Ky., July 2.—[Special.]—The band of thieves who have been operating up and down the L. and N. railroad for the past two years, but who have not been heard from for the past year, are beginning to work again. As a result two suspects are now in the Glasgow jail, and Judge Jones has called the grand jury together to investigate the matter. Some few nights ago Edward Curd's store at Cave City was broken into and a quantity of goods were stolen. One of the robbers exchanged his old clothing for a suit of the stolen goods and left a lot of letters in his pocket. The goods were taken out, and at once for Bowling Green. Capt. Reagan, of that place, was notified and arrested Harry Lewis, man and Charles Lewis, who live at Bowling Green, and who, it is alleged, belong to the "gang." Much has been learned concerning the plans of this gang by the finding of the letters, and a determined effort is being made to locate the members and deal with them.

INCORPORATION ARTICLES

Filed in the Office of the Secretary of State.

Frankfort, Ky., July 2.—[Special.]—Incorporation articles were today filed in the department of Secretary of State as follows: J. T. Brown & Sons, of Jefferson County, with \$600,000 capital stock. The incorporators are Davis, Creel, Hewitt, J. H. Brown, Jr., all of Louisville. E. H. Chase & Co., of Jefferson County, renewing its charter and extending period of its existence, and paying organization tax on a total capital of \$120,000. City Lumber Company, of Boyd County, with \$300,000 capital stock. The incorporators are O. F. L. Beckette, M. W. Thomas, all of Louisville, and M. L. Meredith, all of Ashland. George E. Cross Company, of Jefferson County, with \$300,000 capital stock. The incorporators are E. C. Cross, Jr., H. W. Schouten and W. H. Weston, of Louisville. Cropper Stable Company, of Jefferson County, increasing its capital stock from \$10,000 to \$20,000.

TO EPISCOPAL DEACONATE.

Milton Phoror Wortham Is Ordained At Henderson.

Henderson, Ky., July 2.—[Special.]—Wortham was this morning ordered to the deaconate in the presence of Episcopal church, by the Rt. Rev. Charles E. Woodcock, Bishop of Kentucky. The ordination services were held in St. Paul's church in the presence of a large congregation. The candidate was presented by the Rev. Irvine Goddard of Owensboro, and the ordination sermon was delivered by the Rev. Charles Lewis of Biggs of St. Paul's.

Mr. Wortham is the first young man born in Henderson to go into the ministry of the Episcopal church. He is a son of J. Wortham who was formerly postmaster and also served one term as Mayor of this city. The newly made deacon is a close student and a bright young man. He will have charge of St. James church in Shelbyville.

BLUEGRASS GROWERS

Hold Meeting With Five Principal Counties Represented.

Paris, Ky., July 2.—[Special.]—The executive committee representing the five principal bluegrass growing counties of the State met here today and held a session in the morning. The committee is composed of one representative from each county, who will have exclusive charge of the seed and the handling of the crop. Sixty-five per cent. of the 1907 crop is guaranteed to the pool, and the farmers and producers propose to dictate the price which dealers and speculators must pay for the seed in the future. John T. Collins, J. Frank Kay and Warren Rogers were appointed to represent Bourbon county. Among the prominent producers present were: John T. Collins, of Bourbon; Sol Van Meter, of Fayette; Robert Gay of Clark; Ed Previtt, of Montgomery; and Harvey Chenault, of Madison.

TO DEDICATE NEW CHURCH.

Methodists of Shepherdsville Planning For Great Service.

Shepherdsville, Ky., July 2.—[Special.]—The new Methodist church here will be dedicated on Sunday next. Services will be held morning, afternoon and evening. The Rev. Dr. W. F. McMurtry, Secretary of the Board of Church Extension, will preach the dedicatory sermon at 11 o'clock in the morning. The ladies of the church will serve a free dinner on the grounds for all who come.

The Rev. Dr. Alonzo Monk, of the Broadway Methodist church, Louisville, will preach in the new church here on Thursday and Friday evenings of the week. Following the dedication a series of meetings will be held in which the Rev. Dr. McKim of the West Broadway church, Louisville, will assist.

MANUAL TRAINING

To Be Introduced in the City Schools of Lexington.

Lexington, Ky., July 2.—[Special.]—At a meeting of the Lexington School Board to-night arrangements were completed for introducing manual training in the city schools. The State College offered two rooms for the use of the city schools, and the offer was gratefully accepted, as by using these rooms for the public schools, enough space will be made for the manual training classes. The only condition attached to the offer of the rooms by the State College authorities was that five A. B. S. students be permitted to be present during recitation hours to observe the methods of teaching in the city schools.

WHEELS CUT OFF FOOT.

Man Dodges One Train Only To Be Hit By Another.

Hickman, Ky., July 2.—[Special.]—John Hilliard, of Woodland Mills, eight miles from here, was run over by the local freight as it was leaving Union City for Hickman. Mr. Hilliard started for his home and was walking down the tracks in the yards and was struck by the freight. He saw the coming down the track and jumped to the other track to get out of the way. He did not see the local coming down the track and before he could get off that track the train caught his foot and cut it off. Later it was necessary to make another amputation higher.

DARK TOBACCO SALES.

Figures Reported From Seven Markets To June 29.

Guthrie, Ky., July 2.—[Special.]—Following are the total sales of dark tobacco made by the Planters' Protective Association on seven markets to June 29, reported by John D. Seales, Auditor: Glasgow, 3,472 hogheads, at \$6 to \$8; Hopkinsville, 2,345 hogheads, at \$6 to \$8; Clarksville, 1,736 hogheads, at \$6 to \$8; Louisville, 1,736 hogheads, at \$6 to \$8; Paducah, 2,329 hogheads, at \$6 to \$8; Maysville, 1,736 hogheads, at \$6 to \$8; Murray, 1,736 hogheads, at \$6 to \$8.

KNOX COUNTY FAIR.

Preparations Making For Meeting of the Association.

Barbourville, Ky., July 2.—[Special.]—Extensive preparations are being made for the coming meeting of the Knox County Fair Association here, August 21, 22 and 23. The best meeting in the history of the association is planned, and to that end the officials have been working for several months past on the programme. Premiums in the stock rings, floral halls and race course have been made, and some good exhibits are promised.

CALLOWAY PRIMARY

Called For September 2 To Nominate Candidate For Representative.

Murray, Ky., July 2.—[Special.]—The Democratic Committee of Calloway county met here today and called a primary for September 2, to nominate the party candidate for Representative. The delegates to the convention will be selected by each voting precinct on Saturday, August 31. There are three announced candidates, J. B. Swann, James F. Miles and the Rev. Robert Hart.

TERRIBLE DEATH

Of Child Who Accidentally Swallowed Concentrated Lye.

Paris, Ky., July 2.—[Special.]—Claude Berry, four years old, son of Mr. and Mrs. Harry Berry, died near Little Rock, this county. The little fellow accidentally swallowed concentrated lye, which he was playing with. The throat became so swollen that the boy literally starved and choked to death. The remains were interred at Sharpshurg today.

FREEDOM FOR THREE.

State Prison Commission Paroles Trio of Convicts.

Frankfort, Ky., July 2.—[Special.]—The State Prison Commission today granted paroles as follows: Sam Abbott, of Bourbon county, sent up five years for manslaughter. Silas Buckner, of Woodford county, who had served a term in the State prison, sent up five years for manslaughter. Ridley Reed, of Bourbon county, who had served all but three months of a fifteen-year sentence.

DEMOCRATS TO MEET.

To Plan Convention For Choosing Senatorial Nominee.

Bowling Green, Ky., July 2.—[Special.]—The Democratic Committee met here today to select a nominee for the Eleventh senatorial district which will meet to-morrow afternoon to select time and place for selection of the nominee for Senator from the district. Each county has a candidate.

SPECIAL GRAND JURY

Convened To Look Into Recent Killings in Whitley County.

Williamsburg, Ky., July 2.—[Special.]—Judge Moss convened a special grand jury today to investigate the killing of Millard Hattmaker by Thomas Wagner and Dr. York by St. Clair Parrott, both of which tragedies occurred in the eastern part of the county within the last ten days. Wagner was indicted on the charge of murder to-day. The Parrott case will come up to-morrow.

CHILD HANGED TO DEPOSE.

String Tied To Toy Becomes Entangled About Its Neck.

Morgantown, Ky., July 2.—[Special.]—Mrs. Newt McKinney, living about a mile from here, left her eight-months-old baby on a bed this morning and when she awoke found the child hanging to the bedpost. A string about its neck to which a toy had been attached, had caught on the post and the little one tried to slide off the bed.

ARREST OF FARMER.

Charged With Causing Son-In-Law's Death By Stabbing.

Grayson, Ky., July 2.—[Special.]—Carter county's Sheriff arrested and delivered to the Sheriff of Greenup county a man named

SUFFERED WITH ECZEMA 25 YEARS

Limb Peeled and Foot Was Like Raw Flesh—Had to Use Crutches, and Doctors Thought Amputation Necessary—Montreal Woman Writes of Cure Seven Years Ago.

BELIEVES LIFE SAVED BY CUTICURA REMEDIES

"I have been treated by doctors for twenty-five years for a bad case of eczema on my leg. They did their best, but failed to cure it. My doctor had advised me to have my leg cut off, but I said I would try the Cuticura Remedies. After the first two treatments the swelling went down, and in two months my leg was cured and the now thin scars on it have nearly disappeared. I used two boxes of Cuticura, three boxes of Ointment, and five bottles of Resolvent, and I have now been cured over seven years, and but for the Cuticura Remedies I might have lost my life. I have lots of grandchildren, and they are frequent users of Cuticura, and I always recommend it to the many people whom my business brings to my house every day. Mrs. Jean-Baptiste Renaud, clairvoyant, 277, Mettana St., Montreal, Que., Feb. 20, 1907."

STEWART DRY GOODS CO., Incorporated.

Golden Rule Store

ESTABLISHED IN 1876.

335 and 337 Fourth Avenue.

Cool, Comfortable Summer Necessities.

Ladies' Hosiery and Underwear.

Ladies' Black Gauze Lisle Hose, sheer and fine; sale price, 15c each.

Ladies' Black or White Lisle Hose, sheer and fine; sale price, 15c each.

Ladies' Black or White Lisle Hose, sheer and fine; sale price, 15c each.

Ladies' Black Gauze Cotton Hose, full regular made; sheer and fine; sale price, 25c each.

Ladies' Vests, low neck, sleeves, tape neck and arm bands; sale price, 10c each.

Ladies' Gauze Lisle Vests, low neck, sleeves, tape neck and arm bands; sale price, 15c each.

Ladies' Fine Lisle Vests, low neck, sleeves, beautifully made; the quality; sale price, 20c each.

Ladies' Low-neck Sleeveless Vests; lace trimmed or plain Swiss ribbed; mercerized lapped; sale price, each, 25c.

Ladies' Low-neck Sleeveless Union Suits, lace knee; sale price, each, 25c.

Ladies' Low-neck Sleeveless Union Suits, lace or tight knee; cool and comfortable; north 80c; sale price, each, 50c.

Ladies' Gauze Tan Lisle Hose, rather light; regular 80c value; sale price, per pair, 50c.

Specials in Ladies' Gloves.

Two-clasp Kayser Silk Gloves, in white or color; sale price, 50c each.

Ladies' Lisle Gloves, 16-button length, in black or white; special, \$1.00 each.

Ladies' 16-button length Lisle Gloves, in black or white; special, \$1.50 each.

Ladies' 16-button length Lisle Gloves, in black or white; special, \$2.25 each.

Men's Furnishings.

Men's Negligee Coat Shirts, made of good quality madras; full width; come in large variety of patterns; sale price, 50c each.

Men's Negligee Shirts; light or dark grounds; plaited or plain bosoms; cuffs attached or detached; the best skin cure, and purest of emollients. Special, \$1 each, or 3 for \$2.75.

The Classic Negligee Shirts for men in large variety of colors; all button length, with neat figures; special, \$1.50 each, or 3 for \$4.50.

Men's Soft Pongee Shirts; with collar attached, cool and comfortable; sale price, \$1.50 each.

One lot of Men's Neckwear, in 4-in-hand or bow ties; in polka dots, fancy or plain colors; regular 80c value; sale price, each, 25c.

Men's Silk Lisle Undershirts or Drawers; pure white or blue gauze; weight very cool and comfortable; sale price, per garment, \$1.00.

Men's Fancy Striped French Balbriggan Undershirts or Drawers; regular 50c value; sale price, 50c each.

Men's French Balbriggan Undershirts or Drawers; light weight; in white or blue; sale price, 75c each.

Men's Balbriggan Undershirts or Drawers; with double suit; regular 25c value; sale price, 25c each.

Men's Check Nainsook Undershirts; cut cut and short sleeves; drawers to match; sale price, 50c each.

Men's Short-sleeve Knee-length Undershirts; in white or blue; sale price, \$1.00 each.

Men's Neckwear, in 4-in-hand or bow ties; in all of this season's new styles; in plaids, checks or dots; special, each, 50c.

ANNUAL REUNION JAMES GRADUATES

WILL BE HELD THURSDAY, JULY 4.

JAMES SANATORIUM, MEMPHIS

Thousands of Ex-Patients To Be Entertained As Guests of the James Sanatorium. There will be Speeches, Banquets, Fireworks, Dancing, and a Merry Good Time For All.

As has been the custom with the management of the James Sanatorium, Memphis, Tenn., for years, they will hold a reunion of their graduates on Thursday, July 4, at their Sanatorium at Raleigh Springs, Tenn., at which time they will have as their guests thousands of their ex-patients. The programme for that day will be as follows: A grand display of fireworks, speeches by prominent men, Fourth of July barbecue and dinner from 1 to 5 p. m., reunion of ex-patients, and a grand display of fireworks, in addition to the invitation which is hereby extended to all graduates, whether through Home or Sanatorium treatment for Drug Addictions, Alcoholism, Nerve or Tobacco Habits, to be with them on July 4, each graduate is allowed the privilege of bringing with him one member of his family, viz: wife, mother, sister, father or brother.

The reunions in the past have been very enjoyable affairs. As a result of these reunions patients who visited the Sanatorium meet again, talk over the past and tell of the wonderful good deed and of their success, good health and happiness since taking treatment. On account of change of residence a great many graduates in and out of Memphis fail to receive their invitations. In such cases an invitation is here extended, as it is the intention of the management of the James Sanatorium Company to have all graduates participate in the reunion on Thursday, July 4. Graduates can take Raleigh Springs cars, which leave every half hour, and go direct to the Sanatorium.

As a great surprise. Many thousands of small investors lost their all and many thousands are ruined. There were pitiful scenes outside the bank. The manager, Herr Woeike, acknowledges embroiling \$100,000 from the bank. His wife has even her private fortune of \$18,750 towards replacing the deficit.

MARK TWAIN MUCH FETED IN LONDON.

London, July 2.—Mr. and Mrs. Harry Brill gave a dinner to-night in honor of Mark Twain. Among the guests were Lord Curzon, Senator Dewey, Mr. Anthony Hope Hawkins and Marie Corelli.

John Henkle Heaton also entertained Mark Twain at luncheon at the House of Commons. Other guests were the Earl of Crawford and T. P. O'Connor.

LANDMARK DESTROYED BY NEWPORT NEWS FIRE.

Norfolk, Va., July 2.—Fire supposed to have originated from defective wiring destroyed the Casino building on the bluff overlooking the James river at Newport News today. The Casino was one of the landmarks of Newport News, having been erected twenty years ago. For many years it was used for social purposes. The loss is \$18,000. Insurance \$8,000.

Memphis, Tenn., July 2.—Fire today destroyed the plant of the Memphis Stewer Company in South Memphis, a suburb. Loss \$50,000. Very little insurance was carried.

Denver, Col., July 2.—Fire early today in the Hardwood Lumber Company's yards did \$150,000 damage. The yards are in a thickly populated portion of the city and it was only by hard work that the flames were kept from spreading. Nearly all the windows in the yards for a radius of a hundred yards were broken by the heat.

THREE-YEAR-OLD ASPHYXIATED IN FIRE.

Cincinnati, July 2.—[Special.]—Margaret Busman, three years old, was killed, Frank Swager and George Curry were asphyxiated, but both recovered when the two-story frame dwelling of Mr. and Mrs. Mike O'Neill and the frame cottage of Caroline Schreck were destroyed by a fire that originated in the O'Neill home in West Covington today. Ludlow volunteer firemen kept the flames from spreading. The total loss is about \$2,000.

Speculation Breaks Bank.

Berlin, July 2.—The failure of the Hamburg bank is ascribed to the prevailing mania for speculation. It came

Want to feel good in Hot Weather?

Eat **Grape-Nuts**

"There's a Reason"

Cuscaden's Ice Cream

Made in all designs. We ship to all railway stations.

FACTORY 415 and 417 Second st.

WEBER PIANOS. CRIPPLED MEN AND WOMEN. Fourth Ave., C. P. Post-office. (Incorporated.)

ADMIT GIVING FRANKS,

BUT EXPRESS COMPANIES SAY IT WAS EXCHANGE.

Claim Other Similar Privileges Were Extended Them—Test of Rate Law.

Chicago, July 2.—District Attorney Sims, in accordance with directions from Attorney General Bonaparte, after conferences with him in Washington, and in pursuance of authority contained in the Elkins law as amended by the Hepburn act, has filed suits against five of the big express companies of the United States in Federal court, asking for an injunction to prevent further alleged violations of the new rate laws insofar as they relate to the insurance of express franks. The suits concern against the Government seeks injunction are: The United States, National, American, Wells-Fargo and Adams Express Companies.

The grounds on which the injunctions are asked are that the companies have made a general practice of issuing express franks to their officials, employees and attorneys and of other express companies and railway companies. There is no dispute on the part of the defendants as to the facts, as in answers to the suits, filed immediately, counsel for the companies admit that the franks or passes, as they call them, were issued, but maintained that there was no violation of the law because the franks were issued in exchange for franks, there also being no discrimination.

Pennsylvania Team Wins.

Bristol, England, July 2.—In the cricket match between the team representing the United States and the team representing the Pennsylvania team, the Pennsylvania team won. The scores were: United States, 131; Pennsylvania, 131. The United States team was bowled out for the first time in 131 runs. The Pennsylvania team was bowled out for the first time in 131 runs.

Why don't you
get out of the beaten track
and Go West this year
for your

Summer Vacation

Whether you go to Colorado with its magnificent mountains and unexcelled opportunities for life out-of-doors, to the Yellowstone Park with its wild life and curious phenomena, to California or to the Pacific Northwest with its wonderful growth and natural resources, you will be amply repaid.

The railroad fares are low; here are some of the round trip rates from Louisville:

\$34.50 Colorado and return every day.

\$101.45 Yellowstone Park and return including 5 1/2 days' staging and hotels in the Park. This is the grandest trip in America and you can include Colorado without extra charge, the Black Hills and the picturesque Mississippi River.

\$65.50 to the Pacific Coast and return on certain days and \$79.15 every day, going and returning different routes.

I want to give you particulars about any or all of these tours, and if you will just write on a postal card the part of the country you wish to visit, I will send you illustrated booklets telling all about the low rates, picturesque scenery, good hotels and superior comfort of Burlington train service. Please do it today.

W. A. Lalor, Assistant General Passenger Agent, St. Louis, Mo.



Before You Go Away

Put all your valuables and important papers in a fire-proof and burglar-proof box in the strongest safety vault in the city. Boxes for \$2.50, \$3.00 and \$3.50 a year, ample in size for most purposes. Larger if you want them.

That's a mere trifle to pay for absolute safety and peace of mind. Call upon the Superintendent of Safety Vault by telephone.

If you want to store silver during the summer we will send for it.

Columbia Building, Columbia Trust Co. Fourth and Main.

ITINERARY FOR TRIP DOWN THE MISSISSIPPI

PROGRAMME OF PRESIDENT'S JOURNEY ANNOUNCED.

TO DEDICATE M'KINLEY MONUMENT SEPTEMBER 30.

LEAVES THEN FOR BIG RIVER.

Oyster Bay, L. I., July 2.—The details of the itinerary of President Roosevelt's Western trip, which is to begin at the termination of his summer vacation, were announced to-day by Secretary Loeb. The President will leave Oyster Bay for Canton, O., September 23. He will make an address at Canton at the dedication of the McKinley national monument, September 30, and leave immediately for Keokuk, Ia., where he will arrive at 9 o'clock, October 1. He will make an address at Keokuk, and two hours after his arrival there will embark on the steamer Mississippi. From noon to 3 o'clock next day he will spend in St. Louis. He will then continue his sail down the Mississippi, the next stop being at Cairo, Ill., where he will spend the two hours from 9 until 11 o'clock on October 2. An address will be made by the President at Cairo and another at Memphis, which will be reached the next afternoon at 1 o'clock. An interrupted trip to Washington from Memphis will begin at 4 o'clock, October 4.

TAFT OFF TO-DAY FOR CANADA.

Secretary Taft to Take Rest At His Summer Home.

Washington, July 2.—Secretary Taft had a busy day clearing up as much business as possible before he leaves Washington to-morrow for his summer home. An early caller was Arthur C. Vorys, the Insurance Commissioner of Ohio, who is Secretary Taft's campaign manager, who dropped off on his way West. Naturally, the parties to the conference had nothing whatever to say for publication in regard to it. Secretary Taft, on Murray Bay, spend the time from now until August 6 at Murray Bay. His voice is better than it has been for some time past, and he believes that if he refrains from public speaking for a few weeks he will completely recover. Therefore he has decided that he will not interrupt his vacation even to go to Tulsa, I. T., and that visit, if it takes place at all, must be postponed until the middle of August.

SEELBACH REALTY COMPANY
WOULD RECOVER PENALTY.

In an answer to a cross bill filed yesterday with the Clerk of the United States Court by the Seelbach Realty Company against the Noel Construction Company, the Seelbach Realty Company seeks to recover \$1,150 which it is alleged was paid to the construction company over and above that which was due to it. The suit grows out of the alleged failure of the construction company to complete the work on the hotel at the time specified in the contract. A party by the Seelbach Realty Company prays for judgment in the sum of \$1,150 and judgment for a sufficient amount against the construction company to cover any lien that may be decreed to the Noel Construction Company, and asks for an accounting by the construction company of the work on the hotel at all claims may be closed.

A Clear Skin

Is a clean skin

is a clean skin. Clogged pores are a local result of Acne, Liver and Kidney Troubles, poor circulation, etc.

Pond's Extract Soap

soothes and penetrates to the deeper skin tissues, carrying the stimulating, healing Pond's Extract, clearing the pores as flushing clears a waste pipe, enabling the skin to throw off impurities and irritations from whatever cause, producing a soft, delicate skin and a clear, healthy color.

From Your Druggist

Armour & Company

Sole Licensees from Pond's Extract Company

FOR SECOND TIME

Township Trustees Will Elect School Superintendent.

MELBERT WILLIAMS' FAILURE TO QUALIFY LEAVES VACANCY.

OVER ONE HUNDRED BOYS WILL "CAMP OUT."

ALL KINDS WILL BE WELCOME.

THIS morning at 10 o'clock at the office of County Auditor Thomas Hanlon, in the courthouse at New Albany, the trustees of the five townships of Floyd county met for the purpose of electing a superintendent of schools.

The services will be conducted by the Rev. John Paul, pastor of the Presbyterian church in Louisville. The meeting will be held in the big tabernacle, and every one is invited.

The annual meeting of the stockholders of the Masonic Building Association, held at the Masonic temple, last night, elected Melbert Williams, of Louisville, as president.

ONE HUNDRED STRONG.

All kinds of Boys Will Go Camping Together.

The New Albany boys' camp, which was organized on July 15 on Silver creek, east of that city, are requested to report their names at once to George H. Pennington, of Probation Officer Joseph H. Kraft, who has charge of the affair. Boys of

In England 60,000,000 barrels of beer were used last year—and every one knows the English are a temperate, home-loving people.

Pabst Blue Ribbon
The Beer of Quality

contains less alcohol than either English or other American beers and is richer in the good, wholesome food-values that come from Pabst Eight-Day Malt.

Pabst Brewing Co., Incorporated.
14th and Jefferson, Louisville.
Both Phones 1239.

the East End and of the Silver Grove suburbs will hand their names to Col. Pennington, while those living in the central and western parts of the city will report to Mr. Kraft at the Central police station Saturday morning.

There will be no expense whatever to the boys, as contributions from well-disposed citizens are coming in in large numbers. Already there are more than 500 boys who have signified their intention of joining the party. It is expected that the number will be doubled. Judge W. C. Fitz, who is at the head of the juvenile court, has promised to visit the camp and deliver an address, and talks will be made by the Rev. Dr. J. H. Pennington, pastor of the Trinity Methodist church, assisted by the Rev. Dr. John P. Houchens, pastor of the Central Presbyterian church, and the Rev. W. R. Plummer, pastor of Wesley chapel, and the Rev. Charles W. Inman, James W. Dunbar, Jefferson S. Conner, Prof. Charles E. Froster, E. J. Hewitt and Louis Bir.

Funeral of James H. Forman.

Funeral services for James H. Forman, a well-known citizen of New Albany, were held yesterday afternoon at the family home, 35 Bank street, that city, the attention of the community being called to him in the community. Services were conducted by the Rev. Dr. J. H. Pennington, pastor of the Trinity Methodist church, assisted by the Rev. Dr. John P. Houchens, pastor of the Central Presbyterian church, and the Rev. W. R. Plummer, pastor of Wesley chapel, and the Rev. Charles W. Inman, James W. Dunbar, Jefferson S. Conner, Prof. Charles E. Froster, E. J. Hewitt and Louis Bir.

ITEMS OF INTEREST IN NEW ALBANY.

—Miss Edna Rauck is quite ill at the home of her parents, Mr. and Mrs. Martin Rauck, 321 East Main street.

—Mr. and Mrs. Samuel Hart left last evening for Terre Haute, where they will spend ten days with relatives.

—Mrs. M. A. Hartshorn and her son, Ferdinand, left last evening for Pittsburg, Pa., to spend several weeks.

—Mr. and Mrs. William Trafton Kelly and their guest, Hal Harley, of Los Angeles, Cal., have gone to Rockport, Ind., to visit friends for several days.

—A class of four was initiated last night by New Albany Lodge of Elks, of which an enjoyable social season was held, a number of Louisville Elks being present.

—Eleven mail carriers of the city, together with all the clerks in the post-office, will arrive here this week and will preach next Sunday morning and night.

—The Rev. Mr. Grossman, of Carroll, Iowa, who has been called temporarily to the pulpit of the First Presbyterian church, will arrive here this week and will preach next Sunday morning and night.

—Mr. and Mrs. John T. Robinson and their daughter, Elizabeth, of Gray, Pa., are visiting Mr. and Mrs. Robinson, of Louisville, at their home, 312 West Second street.

—City Clerk John C. Short, Mrs. Short and their son will leave for Knoxville, Tenn., where they will visit relatives. Mr. Short will return home in ten days, but Mrs. Short and the boy will remain there several weeks.

—The funeral of William H. Perry, father of Dr. E. B. Perry, manager of the Wood Park, will take place this afternoon at the family home at Norwood, a suburb of Cincinnati. Mr. Perry was sixty years old and was a soldier of the Civil War.

—Mr. and Mrs. Edgar Reeves, Mr. and Mrs. Frank Maus, Jr., Mr. and Mrs. John Kaner, Mr. and Mrs. William H. Reeves and Violet Freeman, of Louisville, are camping on Silver creek, near Blackiston's Mill, and will remain there several weeks.

—Miss Margaret Merker and Frank Merker are here in Cincinnati to visit their grandmother, Mrs. Josephine Merker, East Elm street. They will leave Monday morning and after remaining two days will have New Albany relatives returned home.

—By a ruling of Judge Thomas B. Kirk, in the Western Circuit Court, at Salem, the last best supply of the county has been cut off, a wholesale dealer in that city having been ordered to stop the supply of beer in the county. The company had been selling beer in five-gallon lots and the court held that beer could not be sold in this way under the law.

—Prof. E. B. Walker, for several years principal of the Main-street public school, who has been living in Washington, D. C., for the last few years, was re-elected a few days ago principal of the public school at New Albany, Wash., for the year at a salary of \$1,500 a year. This will be his fourth year as principal of the school there.

—Following the custom since the establishment of the campment on the Silver Hills, west of the city, more than twenty years ago, an all-day meeting will be held on the hills this afternoon. The services will be conducted by the Rev. John Paul, pastor of the Presbyterian church in Louisville. The meeting will be held in the big tabernacle, and every one is invited.

—The annual meeting of the stockholders of the Masonic Building Association, held at the Masonic temple, last night, elected Melbert Williams, of Louisville, as president.

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BROKEN PROMISE

Basis of Suit For \$2,500 As Damages.

MISS ANNA STROTHER WAS ENGAGED TO ALBERT TOWNSEND.

PLAINTIFF RECITES NUMEROUS POSTPONEMENTS OF WEDDING.

AKERS-GAITHER MARRIAGE.

Suit of breach of promise to marry was filed in the Clark Circuit Court at Jeffersonville yesterday by Miss Anna S. Strother against Albert Townsend, judgment being demanded for \$2,500 as damages. Both are well known and are connected with leading families in the vicinity of Memphis, Ind. In her complaint, Miss Strother alleges that she became acquainted with Townsend and he began to pay attention to her at her home in Memphis in August, 1904. This was kept up until the winter of the same year when she went to Indianapolis. The defendant, she said, corresponded with her until in February, 1905, when she returned home.

Townsend, it is alleged, continued to pay his attention to Miss Strother and they became engaged, but the wedding was postponed on account of the defendant's mother becoming ill in the latter part of April, 1905, but, so the complaint alleges, Townsend said he would marry Miss Strother when his mother got better. Miss Strother asserts that she went to the home of Townsend's mother, cared for and nursed her for two weeks, at the end of which time the sick woman recovered. Then the complaint proceeds, Townsend wanted another delay, which was refused.

In May, 1905, Miss Strother says she went to Bedford, Ind., and it was agreed that they should marry in June. Townsend, it is alleged, was to come to Bedford when that month arrived Townsend was still not ready to take the solemn vows. Townsend, it is alleged, was to come to Bedford when that month arrived Townsend was still not ready to take the solemn vows. Townsend, it is alleged, was to come to Bedford when that month arrived Townsend was still not ready to take the solemn vows.

HIS SECOND—HER THIRD.

Alfred D. Gaither and Mrs. Amy G. Akers Married.

The Rev. U. G. Sutherland, who gained considerable notoriety when charged with killing his wife in New Albany, yesterday married Alfred D. Gaither, a former resident of New Albany, to Mrs. Amy G. Akers, a former member of the Clark County Council, on February 13, 1907.

Gaither is a native of Floyd county, Ind., and his wife is the daughter of a well-known family in that county. The bride is not yet thirty years old, but this is her third marriage. She is a native of England, her maiden name being Mrs. Blackburn. She was divorced from her first husband on the grounds of insanity, and according to a suit for divorce filed in the Clark County Court in Jeffersonville on July 15, 1905, she was married to her second husband, Mr. Blackburn, in 1901, at that time the groom being nearly fifty-seven years of age.

It was recited in the divorce proceedings that in 1897 Blackburn was arrested in Porter county, Ind., and sent to the Indiana Reformatory at Jeffersonville on the charge of manslaughter. Having no friends in this country, according to the complaint, came to Jeffersonville to seek employment. He met his wife, who was then a domestic, and according to the complaint, she met her husband on his release and it is alleged that within a few days they were making plans for their marriage. She is alleged to have been a burden. The complaint continues that while working as a domestic, Mrs. Blackburn was employed by a man on September 24, 1899, her husband took this man to a rooming house and according to the complaint, she was there when he was killed.

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It Is Getting Better Every Day.

More and better improvements are being made here than anywhere else in the city, and in a very short while it will be one of the ideal white residence sections of Louisville.

Do You Realize What It Will Be One Year from Now?

It is right in the center of the city. It has improved streets that have no equal in Louisville.



Work has commenced on the Oak-st. Viaduct and in a short while the Oak-st. car line will be running right through DULANEY PLACE. This means a great increase in the value of lots along this street, and you must come at once if you wish to profit by this increase.



Dulaney Place

Bring Your Family the 4th and Picnic in Dulaney Place Park.

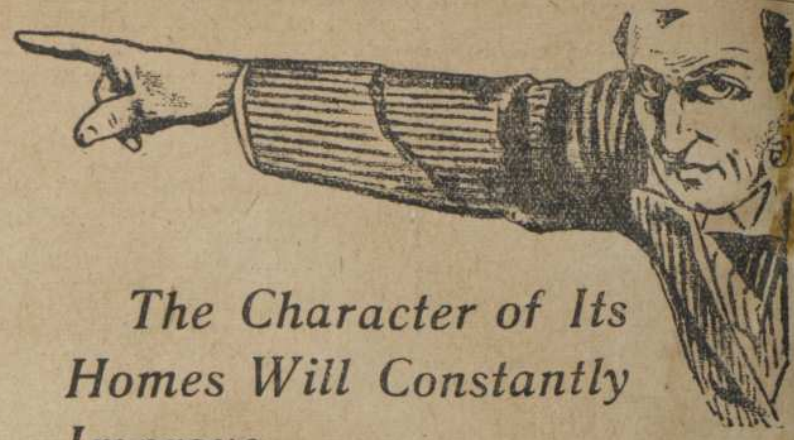
THERE'S NO REAL ESTATE IN ALL LOUISVILLE THAT EVER HAD SUCH A SALE AS

Since It Was Put on the Market July 21, of Last Year, More Than 600 Lots Have Been Sold and There Is a Constant and Active Demand for These Lots by Some of the Very Best People of the City.

Terms: \$25 down--then \$2 per week, with no taxes or interest till deed is taken. Money back in case of death, and 5 PER CENT. DISCOUNT FOR CASH. TITLE GUARANTEED.

22d & Garland av. Tennant Land Co. Home Phone 8109

Dulaney Place



The Character of Its Homes Will Constantly Improve.

The people who will live here are the kind that it will do to raise your family among. It will have one of the most beautiful wooded parks in the city. It will have a street-car line right through it—putting every lot within two squares of a car line.

Shouldn't You Own a Home Here? To-day Is the Day to Start It.

You can buy here now for \$300 and \$325 Per Lot. Just think of that for large 30 ft front lots of as good land as can be found anywhere. There's not many of them—there's no prettier nor dryer lots in the city. They are good either for a home or an investment and there are no cheaper lots anywhere. Inspect all other properties, then visit us and you will buy in Dulaney Place.

Dulaney Place

Bring Your Family the 4th and Picnic in Dulaney Place Park.

WE CLOSE AT NOON To-Morrow.

If you can't come in to-day and get ready for an ALL-DAY outing on "the Fourth," come to-morrow morning and make it half a day.

LEVY'S Third and Market.

Courier-Journal.

TRADES UNION COUNCIL

WEDNESDAY, JULY 3, 1907

CITY FEATURES.

For Pure Milk, Ice Cream, etc., 'phone 64. NATIONAL ICE CREAM CO.

DEPOSED MEMBERS

PARTICIPATE IN PARK COMMISSIONERS' ELECTION.

Choose Officers and Superintendents For Coming Year—Probably Act Under De Facto Clause.

Notwithstanding the fact that the seats of three of the members of the Board of Park Commissioners, Gen. John B. Castleman, Louis Seebach and Gottlieb Layer, were declared vacant in the decision of the Court of Appeals, they participated in the meeting of the board yesterday at noon at which officers were re-elected for another year. Mayor Robert W. Bingham did not attend the meeting. It is understood that nothing was said in regard to the seats of the three members being declared vacant.

When seen after the meeting Gen. Castleman declined to have anything to say in regard to the eligibility of the three members whose seats have been declared vacant. Section 244 of the Kentucky Statutes provides that all commissioners shall hold office until their successors are elected and qualified. It is presumed that this section governed the action of the board yesterday.

Officers were re-elected as follows: Secretary, Frank L. Walker; treasurer, Columbia Trust Company; superintendent of Cherokee Park, J. H. Stoper; superintendent of Ingo Park, E. M. Torrey; superintendent of Shawnee Park and interior squares, Ernest Kottig.

Gas Belt Excursion, Sunday, July 7.

ANOTHER TRY

Made To Collect Taxes On Water Company.

STATE REVENUE AGENT ALLEGES DELINQUENCY.

CARL STOECKER LEAVES \$13,000 TO HIS WIDOW.

FIVE ADJUDGED UNBALANCED.

Another suit testing the question of whether or not the property of the Louisville Water Company is subject to State and county taxation was filed yesterday by Lawrence P. Tanner, revenue agent of the State-at-large, against that corporation and the city.

The plaintiff seeks to subject to taxation the property of the water company assessed in 1906 and valued at \$1,624,898. Upon was valued a tax and penalty of \$23,028.88 is asked.

Five Adjudged Insane.

Judge Pryor held a brief session of the Criminal Court yesterday in order to try a number of cases of lunacy which had accumulated since the court took regular adjournment. Five were found to be mentally unbalanced and committed to the Central Asylum, while two were declared to be of sound mind. These were Edward Smith and James C. Hughes, who were restored to their civil rights. Those found to be insane were Charles W. Will, thirty-six years of age, Hattie Sohn, seventy-three; Catherine Stockhoff, seventy-six; Alfred Watson, sixty, and Fannie Radford, twenty-six.

Two Wills Are Probated.

The following wills were admitted to probate yesterday: That of Carl Stoecker, dated June 24, 1901, in which he bequeathed his widow shall receive life insurance worth \$7,000 and \$6,000 in cash. In event there is not \$7,000 of life insurance in force the executor is directed to bring the widow's share up to \$13,000 by cash payments from the rest of the property. She is also given the testator's house during life. The rest of the property is bequeathed to Charles Stoecker, the testator's son, who is named executor without bond.

That of John Lambert, dated June 5, 1907, in which he devises his estate to Mrs. Alma Briley and her three children. No executor is named.

No Juvenile Court Friday.

County Judge Lincoln stated yesterday that all of the Juvenile Court business which had been docketed for Friday would be adjourned one week and that he would have no session of that court on that day. He declared that he was unable to take this step because of the press of other affairs.

Court Paragraphs.

Hilmar Ehrman sued Samuel Cohen for \$148.82, alleged due on account. Lucy Mitchell sued George Mitchell for divorce, charging cruelty. They were married in 1902.

Mollie Barth sued Albert Barth for divorce, alleging cruelty. They were married April 19, 1902.

Ara Connors sued James J. Connors for divorce on the charge of cruelty. They were married in June, 1904.

William Morgan sued Caldwell & Drake for \$240. He was injured while in the defendants' employ.

Clark and Cleo Morehead sued to secure the sale and division of certain realty belonging to the estate of Herndon Morehead.

Calla avenue, which he declares has never been legally dedicated for street purposes.

Court of Appeals Decisions.

Shell, etc. vs. Asher.—Filed June 12, 1907. (Not to be reported.) Appeal from Leslie Circuit Court. Opinion of the court by Judge Nunn, affirming in part and reversing in part.

First.—Actions.—Parties.—This action was dismissed by the lower court for the reason that no cause of action was stated against him, he did not sign the note and was not bound for it, he only agreed that he would deliver the mules in satisfaction of the award of the arbitrators, but it is shown that the arbitration was never had and the agreement as to arbitration was abandoned.

Second.—Same.—Death.—Decedent Leaving Will.—No Wife, Child or Parent.—Effect.—Damages recovered from a railroad company causing the death of his intestate, under the will of the decedent, but become part of the personal estate of the decedent, and after the payment of his debts pass to his remote kindred as directed by the general law of descent and distribution.

Second.—Undivided Personal Estate.—Payment of Debts.—Undivided personal estate is applied to the payment of the debts of the decedent before any other estate is so applied.

Third.—Insurance Policy.—Limited to Certain Kindred.—Changing Beneficiary by Will.—Change of Class.—Where a member of the Locomotive Engineers' Mutual Life and Accident Association, organized under the laws of the State of Ohio, took out two policies on his life, payable to his half-brother, which contract of insurance was assigned to the family, heirs, relatives by blood, marriage or legal adoption, while the insured had the right to change the beneficiaries, the one submitted must be accepted by the association.

Fourth.—Insurance Policy.—Limited to Certain Kindred.—Changing Beneficiary by Will.—Change of Class.—Where a member of the Locomotive Engineers' Mutual Life and Accident Association, organized under the laws of the State of Ohio, took out two policies on his life, payable to his half-brother, which contract of insurance was assigned to the family, heirs, relatives by blood, marriage or legal adoption, while the insured had the right to change the beneficiaries, the one submitted must be accepted by the association.

First.—Municipalities.—Ordinances.—Hitching or Leaving Horses Standing on Streets.—Penalty.—Validity.—An ordinance of a city of the sixth class providing for hitching horses therein, except to the owner, or to leave a horse standing on the streets or alleys, is not invalid because not adopted at the regular place of meeting of the Board of Trustees, where no regular meeting was held by ordinance being fixed for such meetings.

Second.—Adoption.—Regular Meetings of Trustees.—Where, in town of the sixth class, the trustees have not adopted an ordinance fixing a place of meeting they may meet at any accessible place within the corporate limits of the town.

Third.—Trusts.—Where, in town of the sixth class, the trustees have not adopted an ordinance fixing a place of meeting they may meet at any accessible place within the corporate limits of the town.

Fourth.—Courts.—Declaring Ordinances Void.—Showing Cause.—Where the courts are invoked to declare an ordinance void it must clearly appear that it is inherently violative of the law, some of the well-settled principles that are generally recognized as limitations upon the power of municipalities in the enactment of ordinances, or of the ordinance being declared void as being within those limitations, then the person attacking it must affirmatively show that, as applied to him, it is unreasonable, unfair or oppressive.

John McCartney and Robert Buckler for appellant; Holmes & Ross and S. Throckmorton for appellees.

Intoxicating Liquors.—Selling Without License.—Violation of City Ordinance.—Civil Action to Recover License Tax.—Under Section 2350, Kentucky Statutes, authorizing the common council of cities of the third class to license, tax and regulate the sale of spirituous, vinous and malt liquors in such city within one mile thereof, such city, cannot, in a civil action, recover of a person who has been engaged in the business of selling such liquors for five years past within a mile of the licensed place prescribed by the city ordinance, where such person has not applied for or been granted a license for any of those years.

Go. W. Jolly for appellant; Sweeney, Ellis & Sweeney for appellees.

Kentucky Mutual Building and Loan Association's Trustee, etc., vs. Annie E. Hall.—Filed June 18, 1907. (Not to be reported.) Appeal from Henderson Circuit Court. Opinion of the court by Judge Hobson, affirming.

Findings of Chancellor.—Question of Fact.—Evidence Uncontroverted.—The court will not disturb the finding of the chancellor on a pure question of fact where the evidence leaves the mind in doubt as to the truth. Especially should this rule be applied where evidence which is of a very conclusive character, such as a pass-book, is not produced or accounted for by the party whose interest it is to withhold it.

Chesapeake and Ohio Railway Co., vs. John M. Scudery.—Filed June 18, 1907. (Not to be reported.) Appeal from Carter Circuit Court. Opinion of the court by Judge Hobson, affirming.

First.—Carriers.—Delay in Shipping Corn.—Refusal of Consignee to Receive.—Sale by Carrier Out of State.—Conversion.—A delay by the carrier in the shipment of a carload of corn from Ashland to Aden, a distance of thirty-three miles, and after the payment of his debts pass to his remote kindred as directed by the general law of descent and distribution.

Second.—Undivided Personal Estate.—Payment of Debts.—Undivided personal estate is applied to the payment of the debts of the decedent before any other estate is so applied.

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FISCAL COURT

Approves Committee Report On Furniture Contract.

DISMISSES COMPANY NOW AT WORK INSTALLING FIXTURES.

DEFENDANT'S COUNSEL SAY DECISION WILL BE CONTESTED.

ROAD-MAKING INQUIRY NEXT.

By unanimous consent the eight Magistrates of the Fiscal Court, yesterday agreed to accept the report of the investigation committee on the steel furniture contract in the Circuit Clerk's office, and to take the action thereon recommended.

Judge Walter P. Lincoln, who is ex-officio chairman of the court, took his seat with the other members for the first time. However he declined to vote on the investigation committee's report because he was not a member of the court when the inquiry was made and had never had an opportunity to read or consider the evidence. A motion was made to defer action on the report in order to give him time to inform himself on the evidence, but the court, however, did not seem to think it necessary to insist.

By adopting the report the court in effect discharges the Bankers' Construction Company from further employment as the county's architect for either the Circuit Clerk's office or for the proposed extension of the County Clerk's and Sheriff's offices. Furthermore, it in effect abrogates the contract with the Art Metal Construction Company for the steel fixtures now being installed, and further makes the rule that the court shall pay for the work only what three impartial appraisers feel that it is worth. It is further suggested that the county should employ an architect to be employed by the court to complete supervision of the work in the Circuit Clerk's office and to furnish plans and specifications for steel fixtures in the Sheriff's and County Clerk's offices.

Begin All Over Again.

Later Magistrate O'Connor offered a resolution directing the clerk of the court to advertise for bids for architects to furnish plans and specifications for steel fixtures for the Circuit Clerk's and Sheriff's offices, and also placing in the hands of the county clerk the sum of \$10,000 for the purpose of completing the work.

Intelligence of one of the Circuit Clerk's office work, Judge Lincoln referred the motion to a special committee, consisting of Magistrates McGinty, Hampton, Withers and Norton L. Goldsmith, who represent them, stated that so far as the Bankers' Construction Company was concerned, they had not yet determined what course would be pursued. Relative to the Art Metal Construction Company.

Contractors Will Resist.

Though the Fiscal Court has followed the course mapped out by its investigation committee, it by no means follows that the Bankers' Construction Company and the Art Metal Construction Company will concur in the arrangement. From present indications quite the contrary is the case. Ben F. Asher and Norton L. Goldsmith, who represent them, stated that so far as the Bankers' Construction Company was concerned, they had not yet determined what course would be pursued. Relative to the Art Metal Construction Company.

LOW RATES

4th of July

Tickets on sale July 2, 3 and 4 limited to return July 5. \$4.70 Cincinnati and return and \$4.35 Newport or Covington and return. Tickets on sale to above points on July 3 and 4 limited returning July 5. City Ticket Office, 410 Fourth Ave.

struction Company was concerned they had not yet determined what course would be pursued. Relative to the Art Metal Construction Company, they said that this concern would go ahead with the work of installing the steel furniture according to contract and when the work was completed would call upon the county for payment according to the terms of the contract, which calls for \$14,000. The company will accept no appraisal of commissioners on the subject. This will undoubtedly mean litigation in some form, as will also the position which it is expected will be taken by the Bankers' Construction Company.

Would Investigate Roads.

Magistrate O'Connor offered a resolution calling for an investigation of all contracts for road improvement let and executed since John Dyer vacated his office of Road Supervisor, June 6, 1906. The resolution also asked that three commissioners, not members of the court, be appointed to make the investigation and to report the result of the findings to the court. Mr. O'Connor did not make any charges in offering this resolution, but merely said that he believed there should be an inquiry into the expenditure of the road fund. It was intimated by an official connected with the court, who declined to allow the use of his name, that he understood that competition for a good many of the road improvement contracts had not been sharp enough. He said furthermore, that there might be an understanding among the contractors on the work, which has in effect made a division of territory.

Magistrates Court Inquiry.

Magistrates Hollis, Robb, Withers and Dorsey, the four Magistrates representing the county, and who have been in supervision of all the contract letting, each expressed his satisfaction at the proposed investigation, declaring that they courted any inquiry which might be set on foot. Magistrate O'Connor's resolution passed unanimously. Judge Lincoln said that he would name his commission on investigation as soon as he had a chance to select the men.

Two bids on pieces of work in the district of Magistrate Hollis, each of which there were three bidders, were opened. Magistrate O'Connor moved to reject them and call for new bids, but there was no second to his motion.

DEVOTED CHARITY WORKER

SUCCUMBS TO PARALYSIS.

Mrs. Elmina Bryan Risked Her Own Life Last Winter In Helping Unfortunate Sufferers.

Paralysis caused the death of Mrs. Elmina Bryan, aged seventy-two years, at the home of her daughter, Mrs. H. J. Haupt, 224 Portland avenue, at 9:30 o'clock yesterday morning. Mrs. Bryan had been an invalid for the last three years. She spent almost her whole life assisting those who were in need of aid, and her long period of illness only increased her desire to help the unfortunate. Although confined to her bed at frequent intervals she never ceased her work in connection with the Ladies' Aid Society of the Portland-avenue Baptist church, of which she has been a constant member for the past twenty-six years. Her death was hastened, it is thought, by her untiring efforts last winter to assist the poor while she was scarcely able to go about.

Born in Simpsonville she came to this city with her husband, William C. Bryan, whom she survived, twenty-five years ago. She at once allied herself with the Portland-avenue church and assumed charge of a Sunday-school class, which work she kept up to the time of her death. Mrs. Bryan is survived by two daughters, Mrs. H. J. Haupt and Mrs. C. Warwick, of New York. The funeral will be held in Simpsonville to-morrow.

Costs Less Than Tin or Iron Lasts Longer

CRUSADER ROOFING

It is made from Genuine Trinidad Lake Asphalt. It neither rusts, rots, melts, runs, chips nor dries out. Can that be said of any other Roofing? INVESTIGATE.

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SOUTHERN OPTICAL CO.'S

Sanitary Clamps for hot weather.

They do not slip or irritate the nose. Glasses of any manufacture carefully adjusted free of charge.

Southern Optical Co.

Incorporated

Fourth and Chestnut July 1st.

We close at 1 o'clock on Saturday

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